

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

**1789 FOUNDATION, INC. d/b/a  
CITIZEN AG, et al.,**

**Plaintiffs,**

**V.**

**AL SCHMIDT, in his official capacity  
as Secretary of State, et al.,**

## Defendants.

**AFT PENNSYLVANIA, and the  
PENNSYLVANIA ALLIANCE FOR  
RETIRED AMERICANS.**

### **Intervenor-Defendants.**

**3:24-CV-1865  
(JUDGE MARIANI)**

FILED  
SCRANTON

MAY 02 2025

PER

DEPUTY CLERK

## ORDER

AND NOW, THIS 2nd DAY OF MAY 2025, upon consideration of

Defendant Schmidt and Intervenor-Defendants' motions to dismiss (Docs. 49, 50), for the reasons set forth in this Court's accompanying memorandum opinion, **IT IS HEREBY**

**ORDERED THAT:**

1. Defendant Al Schmidt's Motion to Dismiss (Doc. 50) is **GRANTED**.
2. Intervenor-Defendants' Motion to Dismiss (Doc. 49) is **GRANTED**.
3. Plaintiffs' initial Complaint (Doc. 1) and Supplemental Complaint (Doc. 46) are

**DISMISSED WITHOUT PREJUDICE.**

4. Plaintiffs are granted leave to file an amended complaint within **twenty-one (21) days** from the date of this Order.

A handwritten signature in black ink, appearing to read "R. Mariani", is written over a horizontal line.

Robert D. Mariani  
United States District Judge